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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

New York, New York

Kiyonori OYU, et. al.

Date: December 23, 2004

Serial No.: 10/626,095

Group Art Unit: 2818

Filed: July 24, 2003

Examiner: Chandra P. CHAUDHARI

For: SEMICONDUCTOR MEMORY DEVICE AND METHOD OF
MANUFACTURING THE SAME

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT**REMARKS/ARGUMENT**

This Response is filed in reply to the Restriction Requirement mailed November 24, 2004. Applicant elects the invention of Group II: Claims 1-4, drawn to a semiconductor device, classified in Class 257, subclass 315.

Applicant reserves the right to file a divisional application directed to the subject matter covered in the non-elected claims.

Early and favorable consideration of the present application is earnestly solicited.

If this communication is filed after the statutory time period had elapsed and no separate Petition is enclosed, the Commissioner for Patents is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on December 23, 2004

Respectfully submitted,

Max Moskowitz, Esq.

Name of applicant, assignee or
Registered Representative

Signature

December 23, 2004

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